

CASE SU-7073-L

#11
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5/28/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ROBERT M. MOORE, JR., ET AL.

SERIAL NO.: 09/785,890

FILED: FEBRUARY 16, 2001

CONTINUOUS PROCESSES FOR
PREPARING CONCENTRATED AQUEOUS
LIQUID BIOCIDAL COMPOSITIONS

GROUP ART UNIT: 1616

EXAMINER: ALTON N. PRYOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:ADDENDUM TO AMENDMENT UNDER 37 C.F.R. § 1.607

The Office has requested clarification with respect to the last paragraph of an amendment entitled AMENDMENT UNDER 37 C.F.R. § 1.607 which shows a certificate of mailing of March 13, 2002 in the above-entitled application. The return postcard indicates that this document was received by the PTO on April 10, 2002.

That amendment added Claims 6-10 for purposes of interference with US 6,287,473, filed March 3, 2000 and any pending continuation or divisional thereof.

The last paragraph of that amendment reads as follows:

Since applicants have an effective filing date of November 30, 1999, based on parent Application No. 09/451,344, they are entitled to priority over the '473 patent, which is entitled to a filing date no earlier than March 3, 2000.

This is a true statement, but perhaps it could have been made clearer by the addition to the end of the sentence of the words "with respect to the subject matter of Claims 6-10 and the proposed interference".

The proposed interference with respect to Claims 6-10 involves US 6,287,473. Although the application of that patent was a continuation-in-part of Application No. 09/106,602 filed June 29, 1998, now Pat. No. 6,156,229, inspection of U.S. Pat. No. 6,156,229 will show that there is no disclosure or teaching in U.S. Pat. No. 6,156,229 of use of bromine chloride which is an essential ingredient of Claims 6-10 and the proposed

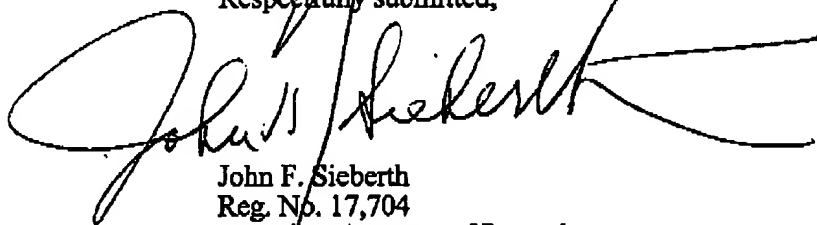
CASE SU-7073-L

interference. Accordingly, the opposing party Yang et al. is not entitled to rely upon the filing date of its parent application 09/106,602, filed June 29, 1998 (Now U.S. 6,156,229) for the subject matter of the proposed interference.

It is believed that in view of this clarification, the various interferences should now proceed as requested.

If anything further should be required, please telephone the undersigned.

Respectfully submitted,



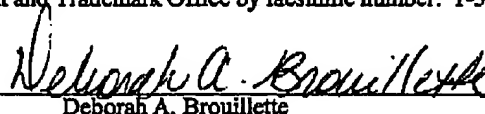
John F. Sieberth
Reg. No. 17,704
Associate Attorney of Record

Telephone: 225-291-4600
Facsimile: 225-291-4606

CERTIFICATE OF TRANSMISSION

I hereby certify that this document, and any attachments referenced herein and attached hereto, are being transmitted on the date indicated below to the U. S. Patent and Trademark Office by facsimile number: 1-571-273-0621, in accordance with 37 CFR § 1.6(d).

Date: May 10, 2004


Deborah A. Brouillette

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DATE: May 10, 2004

To: USPTO

Attn: Examiner Alton Pryor

VIA FAX: 1-571-273-0621

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From: John F. Sieberth

Re:

Our ref. no.: SU-7073-L

Your ref. no.: 09/785,890

Message:

Please find enclosed:

2-page Addendum to Amendment Under 37 C.F.R. §1.607.

Please acknowledge by return facsimile safe receipt of this transmission. If there are any difficulties please advise.

Signed: _____ Dated: _____